



Idaho's Citizen Commission for Reapportionment

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Public Meeting
January 27, 2012
9:00 a.m.
Room C110, Capitol Building

Present were **Commissioner Beitelspacher, Commissioner Grange, Commissioner Hansen, Commissioner Martinez, Commissioner Olsen,** and **Chairman Crow.** Present from the staff were **Ms. Ford, Mr. Cutler, Mr. Bybee,** and **Cyd Gaudet.**

Chairman Crow brought the commission to order at 9:00 a.m. and explained that they were going to come to order, and then take a twenty minute break. She said that in twenty minutes the commission would then meet back to begin their day. She indicated that they would be working, and hopefully they would get close to closing that day. She added that if they worked really hard they might be able to complete their task, and be able to leave if things fell right. She then excused the commission and asked that they return at 9:22 a.m.

Chairman Crow brought the commission back to order at 9:39 a.m. She indicated that they would break into their work pattern and do whatever they could by starting up north and working as far down as they could during that period of time. She said that she had talked with the Co-Chairman, and they had determined that it might be interesting to open up their afternoon meeting to anyone who wanted to be there, to show how they had drawn the map. In that way the public would know that they were not waiting for someone else to draw it for them. **Commissioner Hansen** asked if **Chairman Crow** was suggesting that there would be open comment. **Chairman Crow** said there would not be open comment, it would just be as a look-see. **Commissioner Beitelspacher** asked if she would care to open it up to the public by starting in the upper part of the state at that time. **Chairman Crow** said she did not believe that would be fair as they wanted time to let the information get out to the public so they could come and watch if they wanted to. She reiterated that there would be no comments, as it would strictly be them working, and the public could watch.

Commissioner Hansen said he wanted to point out to the commissioners that they had received a lot of comments from the public and from many of the county commissioners. He indicated that the commissioners wanted to thank them for their comments, as it was important that they were a part of the process. He said that he wanted to point out again to his fellow commissioners that a lot of people were paying attention and listening. **Commissioner Beitelspacher** moved that the public comments be made a part of the commission's record. **Commissioner Hansen** seconded the motion. As the commission voted unanimously in the affirmative the motion carried, and **Chairman Crow** stated that the public comments would become part of the commission's permanent record.

As there was no further business to come before the commission, **Chairman Crow** advised that they would be adjourned to work, subject to call of the chair.

Chairman Crow called the commission back to order at 1:00p.m. She said that, for the benefit of their guests that day, they had determined to open up their working session so that the public could get a better view of what they had been faced with and what they had accomplished. She indicated that as a matter of procedure they would run the meeting as if their guests were not there so they would know exactly what the commission did, but she asked that the public not request to address the committee with questions or advice. She explained that **Mr. Cutler** was their expert regarding projection of the maps, and she then turned to him. **Mr. Cutler** asked if they were submitting the plan, or if it was a working copy. **Chairman Crow** indicated that it was a working copy.

Mr. Cutler indicated that the image on the screen was where they were so far in making the necessary changes to take L87 and transfer it into a seven county split plan. He stated that they would start with the north part of the state. **Commissioner Beitelspacher** explained that they were going to do what they usually did in their small working groups. He asked that **Mr. Cutler** show the precinct boundaries, the population numbers, and the school district boundaries. He advised that one of the reasons that they were joining Bonner and Shoshone Counties together was because they couldn't go into the south end of Kootenai County because the Supreme Court had said they had to keep Kootenai County whole. So they were going to be up in Bonner County and they had to get population out of there, and they had to figure out exactly where they were going to take it from. He said that there were no roads from Shoshone County into Bonner County, even though they had a statute that said they had to have roads. He explained that if they were going to move with that change they would have to pass a motion that suspended that statute with at least five votes. He stated that they had no choice but to put part of the school district into that legislative district as they had no way around that. He said that they were following Highway 95 all the way around until it hit the precinct line down the middle of the lake. He then asked **Commissioner Hansen** if he could see anything they had missed.

Commissioner Hansen asked what the notch shape was, and it was determined that it was the school district boundary, not a legislative district boundary. **Commissioner Beitelspacher** said that he didn't know if they could make that portion of the map any prettier.

Commissioner Hansen suggested that they might want to tell the press that they had a list of the counties which they had to split on the wall. **Commissioner Beitelspacher** indicated that was the list of counties that the Supreme Court had left them with which were going to wind up having some splits in them. (These counties were Bonner, Canyon, Bannock, Twin Falls, and Bonneville) He said that Kootenai County and Ada County were split internally, but that still counted as a split county.

Commissioner Beitelspacher then moved to Kootenai County, and asked that L87 be overlaid onto that area. He indicated on the map where the lady lived who had testified before the commission. He said that although there were not many people living where she lived, if the commission made the dividing line along the freeway, those people couldn't walk across the street to vote. That was why there was what he called the little *finger shape* on the map. He indicated that there were no legislators within that shape that he was aware of.

Commissioner Hansen pointed out that they still had Hayden and Rathdrum separate. **Commissioner Grange** asked why there was a triangular shaped boundary above Rathdrum. **Commissioner Beitelspacher** answered that it was a road. **Mr. Cutler** indicated that the dividing line followed the city boundary. **Commissioner Grange** asked if they should change it to follow the road. **Commissioner Beitelspacher** answered that they had tried to keep the cities whole. He indicated that if they took the people there that lived in the city, and put them out in the boondocks, then they would be in another district and it would make it harder for where they had to go to vote.

Commissioner Grange said that she was just trying to square things up for the county clerks. **Commissioner Beitelspacher** reminded the commissioners not to be shy, and to point out anything that they saw, as they had to make sure that they had the map done correctly.

He indicated that they had Rathdrum and Post Falls in their own districts. He then asked that they look at the southern portion of Kootenai County, and asked to see the deviation, which was 3.32%. **Commissioner Grange** said that she would like to see the deviations a little lower. **Commissioner Beitelspacher** advised that in trying to do that before they had run into a problem with the census blocks and the city boundaries. **Commissioner Grange** said that it would be nice in the high growth areas, like in District 3, to be able to have the deviation a little lower because those areas were going to grow at the fastest rate; but since they were contained within Kootenai County they could only deal with positive numbers. **Commissioner Hansen** said that as they had looked at that they were really careful to stay within the city limits, and that was the key component there. **Commissioner Beitelspacher** indicated that they had a difference of 300 people between Districts 2 and 3. **Commissioner Hansen** said that to even that out they would have to take people out of Coeur d'Alene and put them in with Post Falls. **Commissioner Grange** indicated that the only way they could fix it was if they didn't have to be contained, as then they could give them a little more space, but they could not do that. **Commissioner Hansen** said that there was nothing they could do south of that either because they were boxed by the county lines and by using the lake as a natural divide.

Commissioner Beitelspacher indicated that the rest of District 7 had not changed, and that Districts 5 and 6 had not changed. **Mr. Cutler** added that District 7 cut off at Idaho County. **Commissioner Beitelspacher** indicated that no counties were split in District 8 so there was nothing to look at there. He then moved into District 9, which included Adams County, Washington County, Payette County, and a portion of Canyon County. He said that there was some concern about a school district boundary there, and he wanted to see how sparsely populated it was in that area. He then reviewed District 10 which contained the city of Caldwell, and discussed the boundary lines of Ustick Road, and a portion of a school district boundary that had followed a small loop in the Boise River.

Chairman Crow asked that they review the area of Middleton which was in District 11. **Mr. Cutler** indicated that on the map the cities were shaded and the un-annexed portions were lighter. **Commissioner Hansen** pointed out that they had all of Middleton in one district. **Commissioner Grange** added that they had most of Caldwell in one district and Nampa in two districts. **Chairman Crow** asked that in the Parma area, and the surrounding small towns, that they check to see if the school districts were split. **Commissioner Beitelspacher** noted that Wilder was all in one, and Greenleaf looked like it was all in one. **Commissioner Grange** said that she thought that there was a split between District 9 and District 11 because they had taken part of Canyon County. **Commissioner Beitelspacher** indicated that they could not move that portion of the county. **Commissioner Hansen** said it looked like Parma's school district was split in half. **Chairman Crow** added that because of county lines they could not do anything about that.

The commissioners then worked on the map in Districts 11, 12, and 13 to keep more of the communities of Nampa and Caldwell together in their respective districts while keeping the deviations at appropriate levels. **Chairman Crow** recused herself when they discussed a portion of Nampa where she was aware of the location of current legislators.

Commissioner Grange said that the only change which this commission had made in Ada County was as a result of the testimony in their Meridian hearing. In that hearing it had been requested that the dividing line between Meridian and Boise be changed from north/south to east/west to keep more of those individual communities together. **Commissioner Hansen** said that District 20 had the greatest negative deviation on the map at -4.86%. **Commissioner Grange** explained that District 20 was Meridian, and that District 15 was now the city of Boise, and that previously they had been half Meridian and half Boise. **Chairman Crow** pointed out that was probably one of the better things that the commission had done. The commission then discussed that the Ada County Clerk's office was happy with this map because they had followed streets which made it easier for them to draw the precincts.

Commissioner Hansen indicated that they had kept Ada County as whole as they could within its multiple districts. He commented that Elmore and Owyhee Counties were consistent with the way they currently existed, however on the east side of District 23 there was a little jaunt that came out. He indicated that every plan they had seen the day before, except for L90, had that little jaunt. He said that they had looked at that every way they could to prevent pulling that population out of Twin Falls County, however there was not enough population in Elmore and Owyhee Counties to justify that, so every plan that came out had the same issue and the same concern. He said that the plan which the committee had put together combined Jerome and Twin Falls County, and also combined Minidoka County and Cassia County. He indicated that he had expressed multiple times to the committee, since day one, that it was not a good fit for those four counties. He indicated that the Snake River Canyon, for some reason, was a dividing line. He said that he would like to present an alternative idea, and that he had spent a lot of time that morning looking at alternatives. He indicated that he would like to go to map L90 which had been submitted, and had an alternative plan, and he would like to have it for discussion for just a little bit. He asked to have L90 put up on the screen, and asked that the commission open it up for discussion. He indicated that this was the map which they had received all of the supportive emails about. As **Chairman Crow** needed to leave the room, **Commissioner Beitelspacher** indicated that the commission would recess for 10 minutes.

Chairman Crow brought the commission back to order at 2:33 pm. **Commissioner Beitelspacher** said that he wanted to bring **Chairman Crow** up to date by explaining that **Commissioner Hansen**, in talking about the Twin Falls area, had asked to have map L90 put up on the screen so they could look at it as a commission. **Commissioner Hansen** indicated that one unique thing which they had done with L90 was that everything from Power County up to Idaho Falls could stay the way it was if they were to implement the Twin Falls portion of the map. He said that everything the commission had implemented on the eastern, western, and northern side of the state could stay consistent with what they had already done. He stated that the commission had probably spent 90% of their time with the Magic Valley and the Wood River Valley, and had probably spent more time on that than anything else they had done. He indicated that the reason why was because there was no population in several areas, and the population matches in several areas were tough. He said that morning some of them had worked on Gooding to see if there was a way that Gooding could come in, and possibly move Camas, or put Twin Falls with Gooding, but it was a mess and it wouldn't work. He said that he was presenting L90 to the commission as an alternative to look at, and that the deviations were well within where they need to be. He indicated that it did change the dynamics of the Magic Valley, the Wood River, and the Camas Prairie areas. He said that if the commission was amenable, he would like to work on it a little bit if it were something that they were going to do. He pointed out that Twin Falls was divided with the majority of the community in one district, and the rest of the county in another district, which was very similar to what presently existed. This was why he thought that the county, in particular, liked L90 so much. He indicated that in the commission's map they had used Highway 93 as the divider on the east and the west, and in L90 part of the southern area school district boundaries also drove the division.

Commissioner Hansen pointed out the combination of Jerome County and Cassia County and explained that they had a lot of similarities such as agriculture, and that Minidoka did not share this similarity. In L90 Minidoka was combined with Blaine County and Lincoln County. He said that he would present L90 for their consideration and discussion, and to possibly move it and change it. He stated that he knew the commission was ready to move on, but he felt they needed to consider L90 as an alternative. He said that personally he was proud of what the commission had done in the rest of the state. He indicated that he disagreed very strongly with L90 in the Idaho Falls, Bannock County area, and didn't think they could go into Idaho Falls and take part of the city down to Bear Lake, as that was not a good fit.

Commissioner Martinez indicated that the commission had made a very strong effort to keep cities together in other districts as they were cleaning up the lines. He said that in looking at L90 and what it did in Bonneville County, Idaho Falls, and the city of Pocatello, and the impacts there, it was as if they were making an effort on one side of the state to do something, and then on the other side of the state it was not there at all. He indicated that he would have a tough time supporting a plan that impacted other major cities like that. **Commissioner Hansen** said that he would recommend that they keep the changes which they had made to L87 in those areas, as he agreed with **Commissioner Martinez** that he didn't like L90 in those areas. He indicated that the only part of L90 that he was talking about inserting into L87, as amended, was the Twin Falls portion. **Commissioner Beitelspacher** indicated that they had worked hard on L87 and spent a considerable amount of time trying to make sure that they had growth areas included, and that now they were right back to dividing Twin Falls right down the middle. **Commissioner Grange** said that her concern was that since they had so many things taken away from their control that when they could keep areas together that had been together, that was something they should really be looking at. She stated that to change all of the districts in that area was a hard decision, and a hard thing for her to swallow. She added that apparently no one got along with Jerome and she didn't know why that was.

Commissioner Beitelspacher indicated that in one portion of L90 there was no road between two counties, and apparently the big cultural, social, or otherwise divide that existed which was created by the canyon still existed between Jerome and Cassia. **Commissioner Hansen** agreed that was true and was probably one of the challenges. He said that the commission had spent a large portion of their time looking at communities of interest. He remembered how excited **Commissioner Grange** was when they looked at putting Minidoka and Jerome together because it was a good fit because of the Hispanic population, their communities of interest, and I84 running right through the middle of it. But, with the Supreme Court ruling that had changed, and narrowed that, and they didn't have those options. He said that the one advantage, and the one good thing with L90 was that there was only one split in the county, where all of the other plans had divided it further.

Commissioner Beitelspacher said that he thought the preference on his side of the table was for what they had worked on in L87, and how they had presented the plans in that way, and how they had tried to adapt to the Supreme Court ruling. He indicated that he didn't think the support was sufficient on his side of the table to move in the direction of L90. He said that he was appreciative of **Commissioner Hansen's** efforts to make the presentation that he had made, but much like the congressional plan, he didn't think the support was there to make the change. **Commissioner Hansen** said he thought that it was important to look at it, and look at the perspective of it. He said he knew they had spent an unbelievable number of hours on the Twin Falls area in trying to make it mesh, and trying to make it work to where everyone felt comfortable. **Commissioner Beitelspacher** said that **Commissioner Hansen** had certainly put a major amount of time into it, that was for sure. **Commissioner Hansen** said they all had looked at it from different angles and different directions, and what he thought really changed the whole dynamic was when they had to move Power County to the east. He indicated that had changed the whole dynamic, in his opinion, because previous to that when Power and Cassia were partnered up it seemed to be easier to work with and gave them more leeway. He said that he was afraid they would have that reaction, but he felt like he needed to present it.

Commissioner Hansen then asked that they go back to L87, as amended. He indicated that what the commission had done was shift basically from east and west, and he had noticed the day before that one of the things they had looked at a lot was how to keep groups together. From his perspective, he said that it would even be worse to go east to west, which many of them had recommended the prior day, than to go from north and south, because they were going to have someone over in Malta representing someone in Buhl, and that was not a good thing either. **Commissioner Beitelspacher** asked where the major population blocks were. **Commissioner Hansen** indicated that the vast majority were in Kimberly, Hansen, Twin Falls and Jerome, and there was a growth area on the other side of the canyon. **Commissioner Beitelspacher** said that if Jerome had a population of about 22,000, then they were taking about 22,000 people out of Twin Falls County and they were matching them up with about 22,000 people out of Jerome County. **Commissioner Hansen** then asked **Mr. Cutler** to run a report on the population numbers. **Mr. Bybee** indicated that he wanted the record to reflect that he had showed **Mr. Cutler** how to run that report, so he knew something more than **Mr. Cutler** for once. After looking at the report, **Commissioner Hansen** indicated that there were actually more people in Twin Falls County than in Jerome. He also said that he wanted to point out something important on the western side, which had kept him up nights trying to figure out. He indicated that every one of the maps which they had reviewed the day before had the same issue and the same concern. The problem, he said, was that in keeping Twin Falls whole they went as far as they could to get as much into Twin Falls, and that was as high of a deviation as they could possibly get. He indicated that the deviation on that map was extremely high also, but the problem was how to get enough population out. He said that the Snake River Canyon was the divide on the north, and then there was Gooding County and Jerome County which they had to come in and take some of, but they had made a very concerted effort to keep Buhl and Filer inside the Twin Falls district. He said that Castleford was not going to be pleased about that, as they had a lot more in common with Owyhee County than Nevada, but Nevada wouldn't give them any population. He indicated that he didn't know if there was anything else, and that he appreciated their candor, and he felt that they needed to look at it, but he understood where they were coming from.

Commissioner Martinez indicated that when they got the ruling from the Supreme Court they had to go to Bingham County and make it whole by bringing the majority of the Fort Hall Reservation back into it. He said that in the original L87 they had Oneida County attached to south Bannock County, so the biggest change was to move Oneida County and pick up Power County to make the population deviation work. In doing that it added Oneida County to District 32 which made that one of those areas in Idaho where they were forced to deal with a large geographic area. He said that everyone on the commission knew how difficult it was to address that problem, and it was a really tough issue that they had to deal with, but in trying to work within the court's ruling it forced their hand. He indicated that in District 29 they had tried to keep the core city whole, and they had tried to follow major division points. He said that in the case of District 29 they had used the Interstate on the northern boundary, and the Interstate on the eastern boundary. Then they used the county line on the west boundary, and they went south enough to pick up the population needed to meet the requirement in that district. He indicated that any change in one area of the state impacted the rest of the state, and he hoped that the citizens realized how much that was a true statement. He said that in this area they had followed in line with the idea of trying to keep communities, such as cities, together as much as possible. They had also tried to follow the most prominent division points that they could, which the county clerks liked, and that was what had forced this response. He said that he knew that **Commissioner Olsen** was touched by the way that Oneida County had to be connected up with District 32, but their hands were pretty much tied when they were limited to the number of county splits.

Commissioner Olsen said that she had come with the preconceived idea that they wouldn't have to have as big of an area as they did going from Teton County down. However she indicated that the realities of the numbers spoke, and they had lost population in those counties, and then what they were doing to meet the mandates of the Supreme Court to keep counties whole added to that. She said that she appreciated the efforts of the commission with the revised plan to keep the two full districts that they were entitled to in Bonneville

County pretty much the way they were to start with. She indicated that she had spent several hours in the clerk's office, and that they had redone all of their maps, and they were very pleased with the commission's efforts. She indicated that she and **Commissioner Beitelspacher** had worked hard on that area the first time, and she asked him to go forward with the narrative of what they had done this time.

Commissioner Beitelspacher pointed out that in the original L87 he and **Commissioner Olsen** had split Teton County. He indicated that originally they had drafted a plan that took a portion of Jefferson County and put it with Madison County, because Madison County was low in population, and there were not any adjoining counties to put with it to make it hit the 44,000 number. He said that when they did that it decimated Jefferson County, so they put Jefferson County whole, which created two new county splits. He indicated they had gone back in, and almost anyone who had tried to do that, ended up keeping Teton County whole, and ended up taking part of Bonneville County and putting it in with Madison in order to create a district with Madison. **Commissioner Olsen** added that was the only place to go because they couldn't go north because the Supreme Court said they could not divide counties. **Commissioner Beitelspacher** said that they had not looked at a map yet that did not do that, and they had looked to see if there was some other way that they had missed, and they hadn't found it. He indicated that the new map's boundaries followed L87 in trying to keep everything whole, and trying to keep the towns separate from the city of Idaho Falls while maintaining the core of the city of Idaho Falls, and not allowing it to be sliced up like a piece of pie to make population somewhere else. He indicated that there was a change there that was different from in the past. He explained that in their previous maps they had Lemhi County and Custer County in with Jefferson County, Clark County, and Fremont County. This time, in order to make the population work in Valley County and Boise County, they had added Butte County into that area, and that had tied it all together without any county splits at all.

Commissioner Hansen asked what the southern border was that connected Bonneville County and Teton County. **Commissioner Beitelspacher** pointed out that it was a precinct. He said that they had looked, and there were no roads which went through there, so it was a precinct, precinct 58.

Commissioner Beitelspacher asked if they wanted to look back at Canyon County. **Chairman Crow** said that she thought it was fine. **Commissioner Hansen** asked to look at the deviations. **Mr. Cutler** advised that they were at 9.7% total deviation, with a high of +4.84%, and a low of -4.86%. **Commissioner Hansen** asked if there were any splits over and above the seven required by the Supreme Court. **Commissioner Olsen** asked if they had complied with the deviation according to the ruling. **Chairman Crow** answered that they were within the 10% deviation. **Mr. Cutler** indicated that they had seven counties split. **Chairman Crow** indicated that was the maximum, and asked if that included internal splits. **Mr. Cutler** said yes.

Commissioner Beitelspacher said that he was ready to move to adopt, but before they did that he wanted to make sure they had not overlooked something.

Chairman Crow indicated that the commission would take a 5 to 10 minute recess.

Chairman Crow called the commission back to order at 3:17 p.m. **Commissioner Beitelspacher** said that he thought they were ready to assign a number to the map. **Mr. Cutler** advised the commission that it would be plan L93. **Commissioner Beitelspacher** said that he would move to adopt L93. **Commissioner Olsen** seconded the motion. The motion passed unanimously with **Commissioner Beitelspacher, Commissioner Grange, Commissioner Hansen, Commissioner Martinez, Commissioner Olsen, and Chairman Crow** voting in the affirmative.

Commissioner Hansen moved that the commission waive the requirement of Idaho Code 72- 1506(7) since in the course of drawing the map it was sometimes necessary to split voter precincts. He said that he understood that required a five out of six vote. **Commissioner Grange** seconded the motion. **Chairman Crow** asked if there was any discussion on the motion and if everyone understood the motion. The motion passed unanimously with **Commissioner Beitelspacher, Commissioner Grange, Commissioner Hansen, Commissioner Martinez, Commissioner Olsen, and Chairman Crow** voting in the affirmative.

Commissioner Hansen moved that the commission waive the requirement of Idaho Code 72-1506(9) since in the course of drawing the map it was not always possible to draw a district that was connected by a state highway. He said that he understood that required a five out of six vote. **Commissioner Martinez** seconded the motion. **Chairman Crow** asked if there was any discussion on the motion and if everyone understood the motion. The motion passed unanimously with **Commissioner Beitelspacher, Commissioner Grange, Commissioner Hansen, Commissioner Martinez, Commissioner Olsen, and Chairman Crow** voting in the affirmative.

Commissioner Hansen made a motion that they direct the staff to prepare findings of fact and conclusions for adoption by the commission. **Commissioner Martinez** seconded the motion. **Chairman Crow** asked if everyone understood the motion. The motion passed unanimously with **Commissioner Beitelspacher, Commissioner Grange, Commissioner Hansen, Commissioner Martinez, Commissioner Olsen, and Chairman Crow** voting in the affirmative.

Commissioner Beitelspacher said that their agenda for the remainder of the day was to meet with the Attorney General and the Secretary of State, and asked what would happen the following day. **Chairman Crow** said that she understood that everyone would rather come back on Monday, but it was up to the commission. **Commissioner Hansen** said that he could be there the following day. **Commissioner Olsen** said that she had no problem with coming in the following day. **Commissioner Martinez** said that he could be

there the following day, and he asked the staff when would be the best time to meet. **Ms. Ford** said at that point they were waiting to see about **Mr. Kane's** availability the following day, and she was not sure that there would be much for the commission to work on yet.

Mr. Kane then entered the room. **Chairman Crow** advised him that they had been discussing whether to meet the following day to finish up. She indicated that they needed to know what his time schedule was, and how much time he needed to put the findings together and go over them with the commission. **Commissioner Beitelspacher** said that for him it would be better to work all day on Saturday or Sunday to make sure that the final product was available on Monday, and they were able to deliver it that day. **Chairman Crow** asked if he preferred that they meet on Monday. **Commissioner Beitelspacher** suggested that it would be best to work the following day and put his signature on the final product on Monday.

Mr. Bybee suggested that they discuss with **Mr. Kane** what they were asking of him since it seemed that they wanted the findings of fact a little more in-depth. He said he felt that was dependent upon how quickly they could move through the minutes and talk to **Mr. Kane** and his team about what they needed from the commission. **Commissioner Beitelspacher** said that he wanted to make it clear that he wasn't interested in running out, and if they were still there on Monday that was fine. He indicated that he didn't want **Mr. Kane** to think he was under time pressure and that he needed to be done by noon the next day.

Mr. Kane said that he thought all they really needed was a district by district summation, and if they had gone through that and it was in the minutes and he had a draft of those, he could work from that. He indicated that the minutes didn't need to be fancy for them, as they had the ability to do that as well. **Mr. Bybee** indicated that they also had the audio files available from Idaho Public TV to fill in any detail missing from the minutes.

Commissioner Beitelspacher said that he still didn't have a handle on how much time was needed. **Mr. Kane** indicated that once he had the information it shouldn't take more than a couple of hours. **Commissioner Hansen** asked if it would be possible to review the findings with **Mr. Kane** if they arranged to meet late the next morning. He then asked if it would be best to reconvene at 11:00 a.m. or 1:00 p.m. After some discussion it was decided that they would meet at 11:00 a.m.

Commissioner Olsen asked if they were going to meet that evening to get their portion done. **Mr. Kane** suggested that if they did their part at that time, and then **Ms. Gaudet** emailed that to him, he could have the findings fairly set by the time the commission arrived in the morning. He said that the most important information, as far as findings, was probably going to be Bonneville County and Twin Falls County, as those were the two key findings points, because everything else pretty much wrote itself. **Chairman Crow** explained that the findings were to explain to the court what they had done, and why. **Commissioner Hansen** said that he was willing to spend a couple of hours, if someone else wanted to stay, and they could work on that. **Commissioner Beitelspacher** said that he would be happy to stay. He then asked if it would be a matter of public record when they worked on the findings. **Mr. Kane** said that it depended upon how they wanted to go about it. He indicated that if they wanted to assign the first draft of the findings to two commissioners they could put the findings together and then come back before the committee. He said that they could also go through the map and put it all on the record, so it came down to how they wanted to do it. **Commissioner Hansen** suggested that they had just done that. **Commissioner Beitelspacher** said they had done that to a certain extent, but not to the depth and detail that they needed to. He said that he would feel better if they had a sub-group work on it to get the rough edges honed out, rather than have him commit some egregious error because he was tired, and then have someone use that error against him. **Mr. Kane** said that there was nothing wrong with having partners work on specific areas for the first draft of the findings.

Commissioner Grange indicated that the last time they had another attorney from the A.G.'s office take down the dictation. **Mr. Kane** said that he had an assistant who could take the dictation if they wanted to do that again. There was then some discussion about needing to have **Mr. Cutler** present to bring up the maps during their work.

Commissioner Hansen asked if due to the open meeting law they were required to be in a group of three or less. **Mr. Kane** said that they could work through the findings on the record in an open session, or if they wanted to create a draft they could partner up and work on specific areas. **Ms. Ford** added that there was an exception to the public records act for the commission's draft documents as draft plans and documents related to the plan were not public information. **Mr. Kane** indicated that was just for the public records aspect.

Commissioner Hansen made a motion that they adjourn for the evening and reconvene at 11:00 a.m. the following day. **Commissioner Grange** seconded the motion. The motion carried unanimously. **Chairman Crow** stated that they would reconvene at 11:00 a.m. the following day.